

Commonwealth of Virginia

Handbook for Agency Heads



Virginia Department of
**HUMAN RESOURCE
MANAGEMENT**

Department of Human Resource Management

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Introduction

Congratulations on your appointment as head of one of the agencies of the Commonwealth of Virginia. The position to which you have been appointed is key to the achievement of the Governor's goals for the Commonwealth. In addition, such an appointment is one of public trust, and it is incumbent upon you to ensure that the business of your agency is carried out in a manner that is worthy of such trust.

This manual is intended to provide information about the environment within which state government operates and key relationships within state government that will assist you in your leadership role. The information contained within this manual is basic and not all-inclusive. Links are provided to allow more in-depth review of each topic included and to allow you to explore related materials.

NOTICE

This handbook is not an employment contract, nor is it an invitation to contract. Nothing in this handbook is intended to create or imply any contract rights.

Discrimination on the basis of race, sex, color, national origin, religion, age, or political affiliation, or against otherwise qualified persons with disabilities is prohibited in all aspects of employment with the Commonwealth of Virginia.

Organization of State Government

Branches of Government

Agencies of the Commonwealth are organized into three Branches:

- Executive ([Executive Branch agencies](#)),
- Legislative ([Legislative Branch agencies](#)) and
- Judicial ([Judicial Branch agencies](#)).

Several agencies, which are not included within these Branches, are referred to as “Independent Agencies” ([Independent agencies](#)).

The Governor’s Cabinet

In 1972, the Governor established a network of [Secretariats](#) within the Executive Branch to form a “Cabinet” to assist him with the management of the increasingly complex operations of state government. Each Secretary is responsible for providing overall supervision and direction to the agencies, which report to him or her. By law Cabinet Secretaries also have the power to resolve conflicts between their agencies, to direct preparation of their budgets, and to hold agency heads accountable for agency performance. Cabinet members serve at the pleasure of the Governor.

Organizational Chart

An [organizational chart](#) showing the relationship of the Branches and agencies within each branch is updated each year to reflect any changes occurring as a result of the legislative process.

Laws, Regulations and Orders

The Constitution of Virginia

The [Constitution of Virginia](#) established Virginia’s bicameral legislature and the General Assembly’s chief responsibilities, which are to:

- represent citizens in the formulation of public policy,
- enact laws of the Commonwealth,
- approve the budget,
- levy taxes,
- elect judges, and
- confirm appointments by the Governor.

The Constitution also establishes the manner by which the heads of state agencies are chosen. The Governor appoints the administrative head of most Executive Branch agencies; however, some Executive Branch agencies are

overseen by boards or commissions, which appoint the agency head. Each administrative agency head the Governor appoints:

- is subject to confirmation by the General Assembly;
- is expected to have the required professional qualifications; and
- serves at the pleasure of the Governor.¹ ([§ 2.2-106](#))

The Code of Virginia

The [Code of Virginia](#) (Code) is a series of laws that establishes, among other things, the legal framework within which state government operates. Following this section, is information about several key laws that impact the conduct of state business.

The Code designates the Governor as the Chief Personnel Officer of the Executive Branch ([§2.2-103](#)) and conveys upon him the authority to:

- establish and maintain a classification plan for the service of the Commonwealth;
- establish and administer a compensation plan for all employees;
- adopt necessary rules for the administration of Chapter 29, the Virginia Personnel Act; and
- appoint persons to carry out these powers.

The Virginia Administrative Code

The [Administrative Code](#) sets forth regulations that apply to the conduct of business by state agencies. Several of the laws that apply to the operation and administration of state government will be addressed in subsequent sections of this manual.

Executive Orders

Additionally, each Governor issues [Executive Orders](#) (EO) that cover a number of topics and situations, and may or may not impact the operation of state government. A number of these Executive Orders remain in effect beyond the Administration in which they are issued.

The Legislative Process

Each year, the legislature meets to consider proposals for new laws or changes to existing ones. The [duration of legislative sessions](#) is prescribed by the Constitution of Virginia and during the legislative sessions state agencies

¹ Individuals appointed by the Governor as a Cabinet member or agency head are considered “at-will” employees with regard to the terms and conditions of their employment. (See page 14.)

often track legislation that might impact operations or the environment within which it conducts business.

The [Virginia General Assembly](#) website contains information regarding Bills and other proposals that are introduced for consideration during each session. Additionally, the website provides insight into the [legislative process](#) and the process by which [legislation is introduced and progresses](#) through the General Assembly to become law.

Key Laws

Several existing statutes impact the way agencies operate and establish certain requirements. Although this list is not all-inclusive, it includes several key laws of which agency heads should be aware:

Virginia Public Records Act

The purpose of the [Virginia Public Records Act](#) is to establish a uniform process to manage and preserve the public records of all public officers and employees.

Administration of Government - General Provisions

The [General Provisions](#) section outlines a number of various provisions that apply to the administration of state government that are not addressed elsewhere. Although there are a number of such provisions, some that should be noted are listed below:

- 2.2-2804 - Selective Service compliance;
- 2.2-2812 - Employment of personnel;
- 22.2817.1- State agencies to establish telecommuting policy; and
- 2.2-2827 - Restrictions on state employee access to information.

State and Local Government Conflict of Interests Act

The [State and Local Government Conflict of Interests Act](#) defines and prohibits inappropriate relationships that may be considered conflicts of interest related to the position an individual holds with state (or local) government. The statute also requires certain employees to disclose their economic interests.

Workforce Transition Act of 1995

The [Workforce Transition Act](#) “provide[s] a transitional severance benefit, under the conditions specified, to eligible state employees who are involuntarily separated from their employment with the Commonwealth.”

Virginia Freedom of Information Act

The [Freedom of Information Act](#) “ensures the people of the Commonwealth ready access to public records in the custody of a public body or its officers and employees, and free entry to meetings of public bodies wherein the business of the people is being conducted.”

Government Data Collection and Dissemination Practices Act

The Government [Data Collection and Dissemination Practices Act](#) safeguards the personal privacy of state employees and other individuals by establishing procedures to govern information systems containing records on them.

Virginia Register Act

The [Virginia Register Act](#) satisfies “the need for public availability of information respecting the regulations of state agencies” and articulates the Commonwealth’s policy “to encourage, facilitate, and assist agencies in developing regulations that will inform the public of the requirements, policies, and procedures of the administrative authorities of the State.”

Virginia Administrative Dispute Resolution Act

The [Virginia Administrative Dispute Resolution Act](#) requires each state agency to “adopt a written policy that addresses the use of dispute resolution proceedings within the agency and for the agency’s program and operations.”

Virginia Public Procurement Act

The [Virginia Public Procurement Act](#) “enunciate[s] the public policies pertaining to governmental procurement from nongovernmental sources, to include governmental procurement that may or may not result in monetary consideration for either party.” This chapter “apply[s] whether the consideration is monetary or nonmonetary and regardless of whether the public body, the contractor, or some third party is providing the consideration” and ensures openness in the award of state contracts.

Key Central Agencies

Several agencies have responsibility for overarching (central) functions within state government and, as such, establish standards and regulations that apply to other agencies.

Department of Accounts (DOA)

The Code ([§ 2.2-800 et.seq.](#)) specifies the role and responsibilities of DOA. In general, the Department of Accounts is responsible for:

- providing a unified financial accounting and control system for state funds;
- developing a comprehensive system of checks and balances between state agencies entrusted with the collection, receiving and disbursing state revenues; and
- maintaining a central accounting system for all state agencies and institutions.

Toward these responsibilities, DOA publishes travel regulations that pertain to travel on state business. These [Travel Regulations](#) can be accessed through DOA's website, which also contains information about the Small Purchase Charge Card (SPCC) Program.

Department of Employment Dispute Resolution (EDR)

The responsibilities of the Department of Employment Dispute Resolution are articulated by the Code ([§ 2.2-1000 – 1001](#)). EDR is responsible for:

- assisting state employees in resolving problems, concerns, and grievances;
- assuring compliance with the formal state grievance procedure; and
- making recommendations of the improvement of management-employee relations in state government.

EDR administers the [State Grievance Procedure](#), which provides a formal process through which eligible employees can resolve work-related disputes.

EDR also administers the state's mediation program. This program allows employees to resolve work-related issues or problems outside the formal grievance process.

Department of General Services (DGS)

The Code ([§ 2.2-1100 -1181](#)) states that the Department of General Services responsibilities are to provide "services primarily for the support of other state agencies in carrying out their programs", which include:

- providing for [statewide purchasing](#), and promulgating rules and regulations governing the Virginia Public Procurement Act;
- overseeing statewide real property, including acquisition, lease, sale and other activities;
- assuring [building code](#) compliance and inspection in the case of construction on any state owned property;
- maintaining and operating of the Virginia State Capitol and most facilities at the Virginia Seat of Government;
- regulating and providing a [statewide Fleet](#) of Passenger Vehicles (approximately 7,000);
- operating [consolidated laboratory services](#), including statewide public health, environment, and other related laboratory analyses;

- operating of a statewide warehouse and distribution center for food and selected commodities utilized by state and local government agencies, as well as emergency operations response;
- managing State and Federal Surplus Property programs; and
- supplying printing and graphic communications services.

Department of Human Resource Management ([DHRM](#))

The Department of Human Resource Management is the central state agency responsible for administering, developing, and overseeing the state's human resource management system ([§ 2.2-1200 - 1208](#)). Areas specifically included:

- classification and compensation;
- equal employment opportunity;
- workforce planning;
- health benefits and long term care insurance;
- human resource policy;
- the statewide personnel management information system;
- statewide job posting site;
- employee training and development, including career development and the career center;
- workers compensation and safety;
- performance management;
- employee communications;
- human resource service bureau;
- program evaluation;
- employee assistance program;
- employee suggestion program; and
- the annual workplace giving campaign.

DHRM administers the Virginia Personnel Act ([§§ 2.2-2900 – 2905](#)), which ensures that the Commonwealth retains a system of personnel administration based on merit principles and objective methods of appointment, promotion, transfer, layoff, removal, discipline, and other incidents of state employment.

DHRM also maintains [The Commonwealth of Virginia Master Calendar](#), which helps agencies plan by identifying key dates when required reports must be submitted. (See Page 9 for further information.)

Department of Planning and Budget ([DPB](#))

The Code ([§§ 2.2-1500 - 1514](#)) specifically directs DPB to:

- develop and direct an integrated policy analysis, planning, and budgeting process within state government;
- review and approve all sub-state district systems boundaries established or proposed for establishment by state agencies;

- formulate an executive budget;
- conduct policy analysis and program evaluation for the Governor;
- review the activities of state government focusing on budget requirements in the context of the goals and objectives determined by the Governor and the General Assembly and monitor the progress of agencies in achieving goals and objectives;
- operate a system of budgetary execution to ensure that agency activities are conducted within fund limitations provided in the appropriation act and in accordance with gubernatorial and legislative intent;
- develop and operate a system of standardized management reports of program and financial performance;
- coordinate statistical data;
- assess the impact of federal funds on state government, as well as solicitations, applications, and awards for federal financial aid programs on behalf of state agencies;
- review and verify the accuracy of agency estimates of receipts from donations, gifts, or other non-general fund revenue;
- develop, coordinate and implement a performance management system involving strategic planning, performance measurement, evaluation, and performance budgeting within state government. (Virginia Results, see the Agency Performance section); and
- develop, implement, and manage an Internet-based information technology system to ensure that citizens have access to performance information (Virginia Excels, see Agency Performance).

Secretary of the Commonwealth

The Secretary of the Commonwealth is appointed by the Governor and serves as his “ex officio Secretary.” Additional responsibilities of the Secretary of the Commonwealth are articulated by the *Code* ([§ 2.2-401](#)) and include:

- researching qualified individuals for gubernatorial appointments;
- verifying for foreign governments that a Virginia official is in good standing;
- commissioning Notaries Public throughout the Commonwealth;
- serving as “keeper of the seals of the Commonwealth;”
- offering registration services for organizations interested in protecting their organizational identity in Virginia; (This service parallels what the State Corporation Committee does with business and corporate entities.)
- receiving and reviewing disclosure statements required by the State and Local Government Conflict of Interests Act filed by specific Virginia governmental officers and employees;²
- registering lobbyists;
- receiving for the Governor petitions for the restoration of rights and pardons;

² A disclosure of financial interests is required when the individual assumes the office or employment and annually on or before January 15. Information pertaining to real estate, business interests, gifts, liabilities, directorships, and other matters is subject to disclosure depending on the office or employment of the occupant. These disclosure statements are available for review by the public.

- reviewing requests for extradition by Virginia and receiving extradition requests from other states;
- serving as service processor when the party, party's attorney, or party's agent are in litigation and are seeking service on non-residents, post office boxes, and people who cannot be located by a sheriff or private processor;
- reporting annually on “(a) the boards of visitors of all public institutions, and other boards appointed by the Governor; (b) all commissions issued under appointments made by the Governor, except commissions to notaries public; (c) all departments, boards, councils, commissions, and other collegial bodies created in the executive branch of state government; and (d) such other matters as the Governor requires;” ([§ 2.2-401](#)) and,
- annually revising the Virginia State Government Organization Chart.

Virginia Information Technologies Agency ([VITA](#))

The creation of VITA in 2003 ([§§ 2.2-2005 – 2032](#)), initiated a consolidation of information technology (IT) services for Executive Branch agencies within the Commonwealth. VITA's responsibilities fall into three primary categories:

- Operation of the IT infrastructure, including all related personnel, for the executive branch agencies declared by the legislature to be “in-scope” to VITA;
- Governance of IT investments, in support of the duties and responsibilities of the Information Technology Investment Board and the Chief Information Officer of the Commonwealth; and
- Procurement of technology for VITA and on behalf of other state agencies and institutions of higher education.

VITA intends to provide outstanding service and technology solutions to support its customer state agencies and to address their business needs reliably, consistently, and cost-effectively.

[VITA's website](#) contains a number of documents that are designed to assist agencies with their understanding of VITA's IT processes and its responsibilities with regard to supporting agency IT needs.

[The Commonwealth of Virginia Master Calendar](#)

Throughout the year, agencies are required to submit information and reports regarding their operation. To help agencies plan to meet these requirements, the Department of Human Resource Management (DHRM) has developed a consolidated calendar showing dates reports are due and other useful information.

The Budget Process

Virginia has a biennial budget system, which means it adopts a two-year budget. The biennial budget is enacted into law in even-numbered years, and amendments to it are enacted in odd-numbered years. (For example, the budget for the 2002-2004 biennium was adopted by the 2002 General Assembly and was amended by the 2003 General Assembly.)

The *Code* ([§ 2.2-103](#)) establishes the Governor as the Chief Planning and Budget Officer; however, as seen from the responsibilities assigned to the Department of Planning and Budget, DPB plays a significant role in coordinating the development of the Commonwealth's budget. The [budget process](#), which has five distinct phases, takes many months and involves many participants.

Virginia Biennial Budget

The 2002-2004 biennium began on July 1, 2002. The original budget for the two-year period was adopted by the 2002 General Assembly, signed by the Governor, and became law as Chapter 899, 2002 Acts of Assembly. The 2003 General Assembly enacted amendments to the 2002-2004 budget, which were signed by the Governor and became law as Chapter 1042, 2003 Acts of Assembly. The General Assembly enacted revisions to the 2002-2004 budget that were signed into law by the Governor as [Chapter 943](#), 2004 Acts of Assembly (also referred to as the "Appropriation Act").

Appropriation Act

During each Legislative Session, the General Assembly considers the Governor's proposed budget, any changes that are recommended, and many other requests for the appropriation of state funds. Through the legislative process, the General Assembly determines what funds will be appropriated and to which programs or requestors, including state agencies. Their determinations, when approved by the General Assembly and signed by the Governor, are recorded as the Appropriation Act, which is the legal authority for state agencies to obligate state funds.

Appropriations are regulated through the use of allotments. The Department of Planning and Budget (DPB) has the administrative responsibility for managing the appropriation and allotment process. Additionally, public funds cannot be spent until appropriations are recorded in the automated Commonwealth Accounting and Reporting System (CARS), which is maintained by the Department of Accounts (DOA).

Agency Performance

[Virginia Results](#)

Virginia uses a “management for results” management model to evaluate the efficiency and effectiveness with which state agencies are operating. The model consists of four components:

- strategic planning,
- performance measurement,
- program evaluation, and
- performance budgeting.

The *Code* ([§ 2.2-5510](#)) requires each agency to develop a strategic plan against which their performance is evaluated. Also, each agency head partners with the Governor in achieving the administration’s priorities by completing an Executive Agreement. These agreements are intended “to foster effective communication, mutual accountability and positive and effective working relationships among the Governor, cabinet leadership, and agency leadership.” Executive Agreement forms are available through the [Virginia Results](#) website.

DPB, which administers *Virginia Results*, provides additional [information and materials](#) that can be used for agency planning and to evaluate outcomes.

The Governor’s Management Standards Scorecard/ Virginia Excels

The Governor believes that “government is accountable to citizens and taxpayers for how their tax dollars are spent, [and that] its leaders, officials, and employees have a responsibility to conduct the affairs of government in a productive, efficient, and cost-effective manner.” Therefore, through the [Virginia Excels](#) initiative, “citizens and taxpayers can obtain information [on agency performance] that will allow them to judge whether government programs are effective and achieving expected outcomes.”

The Governor’s Management Scorecard rates agencies on five essential management functional areas:

- Human Resources,
- Financial Management & Budget Reform,
- Government Procurement,
- Technology; and
- Performance Management.

[Agency performance information](#) along with other information regarding the program and the Governor’s management objectives can be located at the [Virginia Excels](#) website.

Checks and Balances

The Division of the State Internal Auditor ([DSIA](#))

The Division of the State Internal Auditor is located within the Department of Accounts (DOA). DSIA serves as a resource that is available to assist agency management evaluate the effectiveness of their risks, the controls they have in place, and their governance processes. DSIA also is available to assist agency management by evaluating processes and providing management with information needed for organizational re-engineering and to appraise the organization's economy and efficiency of operations.

DSIA also administers the [State Employee Waste, Fraud and Abuse Hotline](#), which provides state employees with an opportunity to anonymously report instances of fraud, waste, and abuse that may be occurring in the Commonwealth. DSIA coordinates the investigations of reports alleging illegal or fraudulent conduct, waste of funds, abuse of state property or resources, gross mismanagement, or gross neglect of duty.

The Auditor of Public Accounts ([APA](#))

The Auditor of Public Accounts is part of the legislative branch of Virginia government. APA promotes sound financial management and accountability for public funds by auditing agencies of the Executive and Judicial Branches of state government. Because APA reports through the Joint Legislative Audit and Review Commission (JLARC) of the General Assembly, it is independent from the subjects of its audits. As a result of their audits and analyses, APA provides accurate and objective information and unbiased recommendations on financial management issues to the General Assembly and other decision-makers.

The Joint Legislative Audit and Review Commission ([JLARC](#))

JLARC is authorized to complete its studies and reviews pursuant to several sections of the *Code of Virginia*, which also provide for periodic review and evaluation of selected topics from among all seven program functions of State government and for an annual report on State spending. Report findings and recommendations are submitted to the agencies concerned, the Governor, and the General Assembly.

Legislative changes in subsequent years have directed the Commission to oversee and evaluate the Virginia Retirement System (VRS) on a continuing basis, assist with fiscal impact analysis, and conduct oversight of the expenditure forecasting process.

Human Resource Responsibilities of Agency Heads

The Code ([§ 2.2-602](#)) conveys upon agency heads, as appointing authorities within their respective agencies, certain human resource duties.

Agency heads:

- “shall establish and maintain within their agencies methods of administration relating to the establishment and maintenance of personnel standards on a merit basis that are approved by the Governor for the proper and efficient enforcement of the Virginia Personnel Act ([§§ 2.2-2900 - 2905](#));”
- “may assign to the personnel officers or to other officers and employees of their agencies such personnel duties as they see fit;”
- “shall establish and maintain rosters of their employees that shall set forth, as to each employee, the class title, pay and status and such other data as they may deem desirable to produce significant facts pertaining to personnel administration;”
- “shall establish and maintain such promotion and employment lists, rated according to merit and fitness, as they deem desirable. Agencies may make use of the employment list kept by the Department of Human Resource Management in lieu of keeping employment lists for their agencies;” and
- “shall supply the Governor with any information he deems necessary for the performance of his duties in connection with the administration of the Virginia Personnel Act.”

Emergency Closings

From time to time, portions of the state experience inclement weather, rendering roadways hazardous, or other emergency situations requiring state buildings or agencies to close. The Department of Human Resource Management (DHRM) has established a policy ([Policy 1.35, Emergency Closing](#)), which provides details regarding where the authority and responsibility rest for making such decisions. The Policy also establishes an agency's authority to require specified employees to report in emergency situations to ensure that it's critical operations continue unaffected, and the policy describes the treatment of other employees during such situations.

Benefits and Policy Framework

“Classified” State Employees

The Commonwealth employs individuals in various employment relationships, which carry with them different employment terms and conditions. These different types or statuses of state employment are described in DHRM's Policy 2.20, [Types of Employment](#). Most employees of Executive Branch agencies are considered “classified” employees and are covered by the Virginia

Personnel Act, which means the [policies](#) and programs established by [DHRM](#) apply to them.

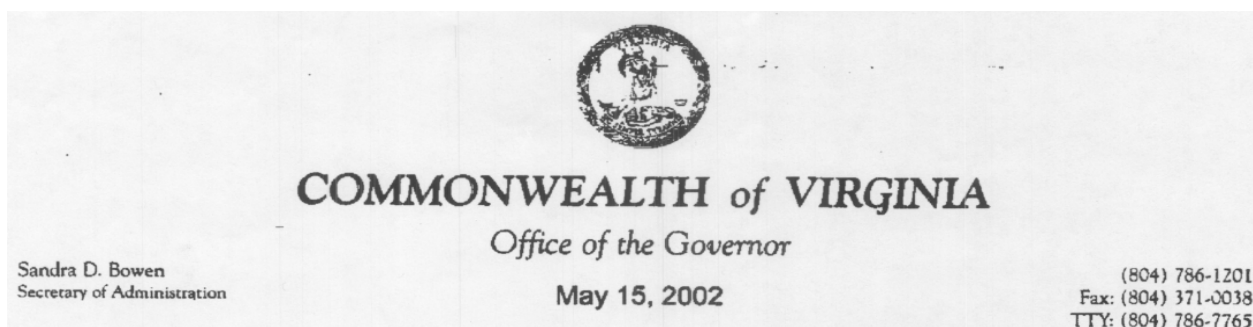
Additionally, DHRM has developed a web-based [Employee Handbook](#) that provides concise information about classified employee's benefits and conditions of employment. As with this Handbook, the Employee Handbook provides links for more detailed information.

"At-Will" Appointees

The terms and conditions of "at-will" employment differ from those of other state employees who are hired through a competitive process. The Office of the Governor establishes benefits and conditions of employment for appointees. Currently, the benefits available for "at-will" employees are outlined in a memorandum dated May 15, 2002, "Leave and Severance Policies for 'At-Will' Employees" (Appendix A).

"At-Will" employees receive retirement benefits through the Virginia Retirement System (VRS); however, one of the plan options (Defined Contribution Plan) available to them is not available to classified state employees. More information about this option can be accessed through the [VRS website](#).

Additionally, questions periodically arise regarding the appropriate behavior of "At-Will" employees with regard to political activities. On July 29, 2003, the Governor's Chief of Staff sent to agency heads clarification regarding the Governor's policy on "Political Activities by At-Will State Employees" (Appendix B).



MEMORANDUM

TO: William H. Leighty, Governor's Chief of Staff

FROM: Sandra D. Bowen

RE: **Clarification -- Leave and Severance Policies for "At Will" Employees**

This memorandum clarifies the policy related to leave and severance benefits for at will" employees and other positions appointed by the Governor. Additional information is highlighted below.

For those state employees appointed by the Governor and serving at his pleasure, I recommend the following leave and severance pay policies for your approval:

Executive Leave Policy

Cabinet Secretaries	30 business days per calendar year for all purposes, non-accruing
Deputy Secretaries	30 business days per calendar year for all purposes, non-accruing
Agency Heads	30 business days per calendar year for all purposes, non-accruing
Chief Deputies in agencies	25 business days per calendar year for all purposes, non-accruing
Confidential/Policy Assistants	25 business days per calendar year for all purposes, non-accruing
Administrative/support staff*	25 business non-accruing days per calendar year for all purposes, no

* Includes Governor's Office and Cabinet Offices only

These employees are required to certify annually, in writing, that they did not exceed the established limits of this leave policy. The annual certifications will be kept by the Division of Support Services to be available for review by the Auditor of Public Accounts. This policy does not apply to employees in the accrual leave system.

The family, personal and sick leave benefits available to eligible employees participating in the Virginia Sickness and Disability Act, pursuant to § 51.1-1100 Code of Virginia, shall be in addition to the leave specified above.

Executive Severance Policy

Cabinet Secretaries	1 month salary
Deputy Secretaries	1 month salary
Agency Heads	1 month salary
Chief Deputies in agencies	1 month salary
Confidential/Policy Assistants	1 month salary
Administrative/Support Staff*	1 month salary

*Includes Governor's Office and Cabinet Offices only

The Governor's Chief of Staff must approve any and all exceptions. This policy does not apply to employees in the accrual leave system. Individuals who have served in eligible positions for less than one year will not receive severance pay.

APPROVED: William H. Leighty
 William H. Leighty
 Governor's Chief of Staff

5/17/02
 Date

Political Activities by At-Will State Employees

Governor Mark Warner is strongly committed to ensuring that state time and resources are properly used in furtherance of the business of the Commonwealth and not spent on political activities. Given the upcoming elections for all 140 members of the General Assembly and many local officials, it is important that Cabinet-level and agency level at-will appointees of the Governor abide by laws and policies setting forth a strict separation of state business and any political activity.

The following guidelines shall apply to actions by such at-will state employees appointed by the Governor:

- While on state time, no employee may engage in any political activity.
- No state resources (funds, vehicles, computers, equipment, etc.) may be used for political purposes.
- No employee may be forced to engage in any political activity as a condition of employment.
- No employee shall be rewarded or discriminated against in any way for participating or not participating in any political activities.

While there is a bright line against engaging in political activities on state time or with state resources, there are no legal limitations on your political activities outside of the office. If you wish to participate in a political activity during regular work hours, you must use personal leave.

- Employees may work on campaigns, donate money, attend campaign events (including fundraisers), place a sign in the yard, put a bumper sticker on the car, and engage in many other political activities.
- Employees may belong to and hold office in political committees and organizations.
- Employees may express their opinions as private citizens and are encouraged to vote.
- If you plan to become visibly involved in a campaign (host fundraiser, attend press conference, etc.), you must notify the Chief of Staff in advance of the activity.

State executive branch employees who are principally employed in connection with programs financed in whole or in part by loans or grants made by the United States or a federal agency may be covered by the federal Hatch Act. State employees covered by the Hatch Act may not be candidates for office in a partisan election. However, they

may actively campaign for candidates for public office in partisan and nonpartisan elections and may contribute money to political organizations and attend political fundraising functions.

As always, the key is to use your best judgment and not to engage in any activity which will reflect negatively on you or the Administration.

Real-Life Issues

- Q. I am going to Northern Virginia for a policy meeting and to give a dinner speech – all official state business – and I am driving a state car. Can I also stop by a fundraiser that same evening for a political candidate?
- A. No. A state vehicle should not be used as a means to attend any political event, however indirectly.
- Q. How about if I am driving my own car?
- A. Yes. As long as you have legitimate state business to conduct as the reason for the trip, you are not prohibited from attending a political event on your own time. You may only seek reimbursement for the mileage directly attributable to the official public business. If the political event was a luncheon during the business day, you would have to take personal leave time to attend the luncheon.
- Q. May I use my title on a fundraising invitation?
- A. No. You may lend your name to an invitation with prior notification to the Chief of Staff, but the invitation should not use your title or give any indication that you are participating in an official capacity.
- Q. May I endorse a particular candidate? Attend a press conference with the candidate?
- A. Yes, with the prior notification to the Chief of Staff. On the reverse side, though, remember that you are under no obligation to endorse or give money to any political candidate.